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BEFORE THE ARIZONA CORPORATION COMMISSION
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COMMISSIONERS

JEFF HATCH-MILLER, Chairman
WILLIAM MUNDELL
MARC SPITZER
MIKE GLEASON
KRISTIN K. MAYES

2006 MAY 12 P 12: 21

AZ CORP COMMISSION
DOCUMENT CONTROL

IN THE MATTER OF THE APPLICATION OF
WORDEN WATER COMPANY FOR TRANSFER
OF ITS CERTIFICATE OF CONVENIENCE AND
NECESSITY.

DOCKET NO. W-02221A-05-0505
DOCKET NO. W-20391A-05-0505

PROCEDURAL ORDER

BY THE COMMISSION:

On July 15, 2005, Worden Water Company ("Worden" or "Company") filed an Application for Approval of Transfer of its Certificate of Convenience and Necessity ("CCN" or "Certificate") with the Arizona Corporation Commission ("Commission"). The purpose of the application is to transfer the CCN from Mr. Arthur O. Worden (deceased) to his children, Janice E. Worden and Lawrence A. Worden dba Worden Water Company.

On August 12, 2005, the Commission's Utilities Division Staff ("Staff") notified the Company that its application was not sufficient pursuant to the Arizona Administrative Code.

The Company provided additional documentation on March 20, 2006, April 14, 2006, April 27, 2006, and May 1, 2006.

On May 8, 2006, Staff notified the Company that its application was sufficient pursuant to the Arizona Administrative Code.

Accordingly, the matter should be set for hearing.

IT IS THEREFORE ORDERED that the **hearing** in the above-captioned matter shall be held on **July 7, 2006, at 11:30 a.m.**, or as soon thereafter as is practical, at the Commission's offices, **Room 222**, 400 West Congress St., Tucson, Arizona 85701.

IT IS FURTHER ORDERED that intervention shall be in accordance with A.A.C. R14-3-105, except that all motions to intervene must be filed on or before June 27, 2006.

IT IS FURTHER ORDERED that Applicant shall serve public notice of the hearing in this matter, in the following form, type size and style:

PUBLIC NOTICE OF HEARING ON APPLICATION BY
WORDEN WATER COMPANY FOR APPROVAL TO TRANSFER
ITS CERTIFICATE OF CONVENIENCE AND NECESSITY
DOCKET NOS. W-02221A-05-0505 &
W-20391A-05-505

On July 15, 2005, Worden Water Company (Company") filed an application with the Arizona Corporation Commission ("Commission") for approval to transfer its Certificate of Convenience and Necessity ("Certificate"), from Arthur O. Worden (deceased) to his children Janice E. Worden and Lawrence A. Worden ("Transferees"). If the application is granted the Transferees would be the exclusive provider of water service within the Company's service area, and would be required to provide service on the terms and conditions as established by the Commission.

The application is available for inspection during regular business hours at the offices of the Commission in Phoenix, at 1200 West Washington Street, Phoenix, Arizona, and in Tucson, at 400 West Congress St. Suite 218, Tucson, Arizona and at the offices of the Applicant, [APPLICANT INSERT ADDRESS]. The application is also available on the Commission's website, www.azcc.gov, using the e-Docket link.

The Commission will hold a hearing on this matter on **July 7, 2006 at 11:30 a.m.**, or as soon thereafter as is practical, at the Commission's Tucson offices, **Room 222, 400 West Congress St., Tucson, Arizona 85701**. As a property owner or customer you may have the right to intervene in the proceeding. If you do not want to intervene, you may appear at the hearing and make a statement on your own behalf. Intervention shall be permitted to any person entitled by law to intervene and having a direct and substantial interest in the matter. Persons desiring to intervene must file a written notice to intervene with the Commission, which motion should be sent to the Applicants or their counsel and to all parties of record, and which, at the minimum, shall contain the following:

1. The name, address, and telephone number of the proposed intervenor and of any party upon whom service of documents is to be made if different than the intervenor.
2. A short statement of the proposed intervenors interest in the proceeding (e.g., a customer of the Applicants, a shareholder or member of the Applicants, etc.)
3. A statement certifying that a copy of the motion to intervene has been mailed to the Company or its counsel and to all parties of record in the case.

The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except that all motions to intervene must be filed on or before **June 27, 2006**. The granting of intervention, among other things, entitles a party to present sworn evidence at hearing and to cross-examine other witnesses. However failure to intervene will not preclude any customer from appearing at the hearing and making a statement on such

1 customer's own behalf. However, you will not receive any further notice of the
2 proceeding unless requested by you.

3 If you have any questions or concerns about this application or have any
4 objections to its approval, or wish to make a statement in support of it, mail them to:

5 The Arizona Corporation Commission
6 Attention Docket Control
7 Re: Worden Water Company
8 W-02221A-05-0505 & W-20391A-05-0505
9 1200 West Washington Street
10 Phoenix, Arizona 85007

11 If you have any questions about the application, or want information on intervention
12 you may contact the Consumer Services Section of the Commission at 1200 West
13 Washington Street, Phoenix, Arizona 85007 or call 1-800-222-7000.

14 The Commission does not discriminate on the basis of disability in admission to its
15 public meetings. Persons with a disability may request a reasonable accommodation
16 such as a sign language interpreter, as well as request this document in an alternative
17 format, by contacting Linda Hogan, ADA Coordinator, voice phone number 602/542-
18 3931, E-mail lhogan@azcc.gov. Requests should be made as early as possible to allow
19 time to arrange the accommodation.

20 IT IS FURTHER ORDERED that Company shall mail to its customers and the property
21 owners in the proposed extension area a copy of this notice by first-class U.S. Mail, to begin as soon
22 as possible and to be completed on or before **May 26, 2006**.

23 IT IS FURTHER ORDERED that Company shall file certifications of mailing as soon as
24 practicable after the mailing has been completed.

25 IT IS FURTHER ORDERED that notice shall be deemed complete upon mailing,
26 notwithstanding the failure of an individual customer to read or receive the notice.

27 IT IS FURTHER ORDERED that Staff shall file its **Staff Report** by **June 19, 2006**.

28 IT IS FURTHER ORDERED that **responses** by the Company, if any, to Staff's Report shall
be filed no later than **June 30, 2006**.

IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized
Communications) applies to this proceeding as the matter is now set for public hearing.

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1 IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive
2 any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

3 DATED this 10th day of May, 2006.

4
5 
6 JANE L. RODDA
ADMINISTRATIVE LAW JUDGE

7 Copies of the foregoing mailed
8 this 10th day of May, 2006 to:

9 Michael F. McNulty
10 Lewis and Roca
11 One South Church Avenue
Suite 700
Tucson, Arizona 85701-1611
Attorneys for Applicant

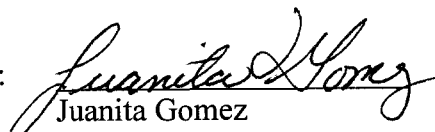
12 Worden Water Company
13 15150 West Ajo, #568
Tucson, Arizona 85735

14 Mr. Christopher Kempley, Chief Counsel
15 Legal Division
ARIZONA CORPORATION COMMISSION
16 1200 West Washington Street
Phoenix, Arizona 85007

17 Mr. Ernest Johnson, Director
18 Utilities Division
ARIZONA CORPORATION COMMISSION
19 1200 West Washington Street
Phoenix, Arizona 85007

20 ARIZONA REPORTING SERVICE, INC.
21 2627 N. Third Street, Suite Three
Phoenix, Arizona 85004-1104

22
23 By:

24 
25 Juanita Gomez
26 Secretary to Jane L. Rodda
27
28